



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION I
ONE CONGRESS STREET, SUITE 1100
BOSTON, MASSACHUSETTS 02114-2203

POLLUTION REPORT (POLREP)

I. HEADING

Date: January 7, 2004
Subject: EPAC Superfund Site
Waterbury, Connecticut
From: Leslie Sims, OSC, EPA Region 1, Office of Site Remediation and
Restoration, Emergency Planning and Response Branch
To: POLREP Distribution List
POLREP: 3

II. BACKGROUND

Site No.: 01BA
Task Order No.: N/A
Response Authority: CERCLA, §104(a) and §106(a)
ERNS No.: 90441
CERCLIS No.: CTD001454214
NPL Status: Not Listed
State Notification: CT DEP
Action Memo: Signed on 15 July 2003
Start Date: 18 November 2003
Demob Date: TBD
Completion Date: TBD

III. SITE INFORMATION

A. Incident Category

Inactive Production Facility

B. Site Description

1. Site Location

The Site is located at 730 North Main Street, Waterbury, Connecticut, at coordinates 41° 33' 44" north latitude by 73° 01' 54" west longitude. The Site is bounded by commercial properties to the north, residential properties and the Naugatuck River to the east, residential properties to the south, and residential neighborhood and Martin Luther King Jr. Park to the west. EPAC was a metal plating company that

was a tenant at the Great Brook Industrial Park, which is owned by Waterbury Realty, LLC. The industrial park is a multi-section, light manufacturing, industrial-use brick complex located on approximately 11 acres. EPAC operated at one of the buildings at the industrial park until 25 December 2002, at which time a fire destroyed much of the building. An adjacent, partially-intact, two-story building is open to the burned-out remains of the EPAC building on one side. This two-story structure is owned by Waterbury Realty, LLC (Waterbury), but was vacant and not leased to EPAC.

2. Description of Threat

Refer to previous POLREPs for details.

C. Preliminary Assessment/Site Investigation Results

Refer to previous POLREPs for details.

IV. RESPONSE INFORMATION

A. Situation

1. Current situation

Asbestos abatement completed November 15, 2003. PRP in process of selecting contractor for Phase II work.

2. Removal activities to-date

September 12, 2003

Pursuant to the AOC, the PRP identifies Alliance Environmental as its Project Coordinator and supervising contractor for the removal action.

October 23, 2003

EPA sends *Notice of Non-Compliance* and *Disapproval of Project Coordinator* letter to PRP for non-compliance related issues. At issue was the PC's lack of superfund experience, history of missing mandatory AOC deadlines and submittal of inferior work products.

November 2, 2003

PRP submits New Project Coordinator for EPA approval.

November 12, 2003

Conditional approval of Workplan and Project Coordinator granted by EPA. The Workplan is for asbestos removal only. Project is scheduled to be completed in two phases. Phase I (Asbestos abatement) and Phase II (PCBs and unknown drums). A separate workplan and qualification of lead contractor will be submitted by PRP prior to beginning Phase II work.

November 18, 2003

Asbestos abatement work begins at EPAC Superfund Site.

November 20, 2003

Asbestos abatement work completed.

3. Enforcement

A Notice of Potential Liability and Invitation to Perform or Finance Response Actions has been sent to Waterbury Realty. Pursuant to the AOC, the removal is proceeding as a PRP-lead action. EPA is also pursuing a pending Toxic Substances Control Act (TSCA) enforcement action at the site regarding the discovery of PCBs. TSCA enforcement activities were ongoing prior to the emergency response.

B. Planned Removal Activities

Phase II activities are scheduled to begin in January 2004 and will include:

removal of PCB-contaminated oil from the transformers, capacitors, and switches;
removal of the transformers, capacitors, and switches;
decontamination of PCB-impacted surface areas at the Site;
characterization of hazardous substances present in drums at Site; and
transportation and disposal of all hazardous substances to approved off-site disposal facilities.

C. Next Steps

Phase II (final phase) activities are scheduled to begin January 2004.

D. Key Issues

As a result of the PRP-designated Project Coordinator's (Alliance Environmental) inability to submit a valid work plan and consistently not meeting AOC mandatory deadlines, the PRP was issued a *Notice of Non-Compliance*. In response to that notice, the PRP removed Alliance Environmental as the Project Coordinator and assumed the role as its own contractor. David Wiener was designated the new project manager to oversee the completion of the cleanup. Due to this circumstance, it was necessary to adjust the project time-line to allow Mr. Wiener enough time to complete the necessary work plan and hire contractors for the job.

Mr. Wiener could not immediately provide a qualified contractor to complete the SOW related to the removal of PCB oils and drums of hazardous substances; However, he was successful in providing a valid work plan and state-certified contractor to perform the asbestos work. Given the emergency nature of the cleanup, Waterbury was allowed to address the cleanup in two distinct phases. This allowed for the immediate removal of the asbestos and gave Waterbury additional time to submit a valid work plan and secure qualified contracts for the removal of the remaining hazardous materials, namely PCBs and drummed hazardous substances.

V. COST INFORMATION

<u>Extramural Costs</u>	CEILING	SPENT	REMAINDER
ERRS Contractor*	300,000	- 0 -	300,000
START Contractor	+ <u>\$50,000</u>	<u>934</u>	<u>49,066</u>
Subtotal	\$350,000	934	349,066
Contingency (10%)	+ <u>\$35,000</u>	<u>- 0 -</u>	<u>35,000</u>
Total	\$385,000	934	384,066
 <u>Intramural Costs</u>			
EPA Regional Personnel	+ <u>\$75,000</u>	<u>5,000</u>	<u>70,000</u>
<u>PROJECT CEILING</u>	\$460,000	5,934	454,006

**No ERRS task order has been issued to date.*

The above accounting of expenditures is an estimate based on figures known to the OSC at the time this report was written. The cost accounting provided in this report does not necessarily represent an exact monetary figure which the government may include in any claim for cost recovery.¹

VI. DISPOSITION OF WASTES/PRODUCT

Disposal of all waste related to this cleanup remains the sole responsibility of Waterbury, LLC.

¹Approximate amount used for cost recovery purposes will be actual costs, for example, \$460,000 x 1.2702 (current indirect rate).